

**REMARKS**

This communication responds to the Restriction Requirement dated March 20, 2008.

Claims 1-22 are under consideration in the present application.

**Election/Restrictions**

The Examiner required restriction between the species: Figures 1a, 1b, 2a, 2b, 2c and 2d, respectively.

Applicant hereby respectfully traverses the restriction requirement set forth by the Examiner, but provisionally elect the Species with Figure 1b, which encompasses claims 1-22.

In the Office Action, the Examiner states that the above-identified application contains species that are independent or distinct because the claims to the different species recite the mutually exclusive characteristics of such species.

However, Figures 1a, 2a and 2b show existing devices. Figures 1b, 2c and 2d show the fixing device of the present invention. (*See page 2, paragraphs, [0022], [0023] and [0026] and page 3, paragraphs, [0029] and [0030] of Applicant's Publication US 2004/0186443 A1*).

Applicant further asserts that the elected Species should include Figures 1b, 2c and 2d. Figures 2c and 2d show the present invention wherein the diameter of the thread 5 is smaller on Figure 2d as compared to Figure 2c. (*See Page 3, paragraph [0030] of Applicant's Publication US 2004/0186443 A1*).

Furthermore, the applicant asserts that each of the claims (1-22) of the above-identified application are readable upon the provisionally elected Species. Applicant asserts that each claim describes elements or interaction of elements depicted in the Figures 1b, 2c and 2d. More specifically, each of the pending claims speak to the elements or interaction of elements identified in Figures 1b, 2c and 2d, and accordingly, are readable upon the Species.

Therefore, for at least the aforementioned reasons, the Examiner is requested to withdraw the Restriction Requirement contained in the Office Action or, at a minimum, reassign Figures 1b, 2b and 2c into the same Species.

Conclusion

The Applicants respectfully submit that the present application is in condition for allowance. If it would expedite prosecution, the Examiner is invited to contact the Applicants' representative at the number provided below.

This response is being submitted on or before May 20, 2008, with the required fee for a one-month extension of time, making this a timely response. It is believed that no additional fees are due in connection with this filing. However, the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment and notify us of same, to Deposit Account No. 04-1420.

Respectfully submitted,

DORSEY & WHITNEY LLP  
Customer Number 25763

Date:

May 13, 2008

By:

David E. Bruhn

David E. Bruhn, Reg. No. 36,762  
Phone: (612) 340-6317